

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|--|----|------------------------|-------------------|
| | | Application No. | 10/750,561 |
| | | Filing Date | December 31, 2003 |
| | | First Named Inventor | Ali S. Sadri |
| | | Art Unit | Unknown |
| | | Examiner Name | Unknown |
| Total Number of Pages in This Submission | 11 | Attorney Docket Number | 42P17322 |

ENCLOSURES (check all that apply)

| | | | |
|--|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | |
| | | | <input type="checkbox"/> -Return Postcard |
| | | | <input type="checkbox"/> Remarks |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | Paul A. Mendonsa, Reg. No. 42,879 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP |
| Signature | |
| Date | August 5, 2004 |

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

| | |
|-----------------------|----------------|
| Typed or printed name | Rachael Brown |
| Signature | |
| Date | August 5, 2004 |

Based on PTO/SB/21 (04-04) as modified by Blakey, Sokoloff, Taylor & Zafman (wtr) 06/04/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 1,474.00)

Complete if Known

| | |
|----------------------|-------------------|
| Application Number | 10/750,561 |
| Filing Date | December 31, 2003 |
| First Named Inventor | Ali S. Sadri |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 42P17322 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | 770.00 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | (\$) | | 770.00 | |

2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------------|--------------|----------------|----------|
| 41 | 4 | 20* = 21 | X 18.00 = | \$378.00 |
| | | 3* = 1 | X 86.00 = | \$86.00 |
| Multiple Dependent | | | | |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple Dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | (\$) | | 464.00 | |

***or number previously paid, if greater, For Reissues, see below*

3. ADDITIONAL FEES

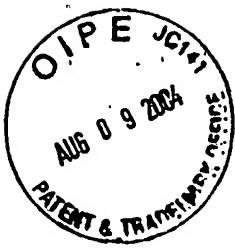
| Large Entity | Small Entity | Fee Description | Fee Paid |
|------------------------------------|--------------|--|----------|
| Fee Code | Fee (\$) | Fee Code (\$) | |
| 1051 | 130 | 2051 65 Surcharge - late filing fee or oath | 130.00 |
| 1052 | 50 | 2052 25 Surcharge - late provisional filing fee or cover sheet. | |
| 2053 | 130 | 2053 130 Non-English specification | |
| 1812 | 2,520 | 1812 2,520 For filing a request fore part reexamination | |
| 1804 | 920* | 1804 920 * Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 1,840 * Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 55 Extension for reply within first month | 110.00 |
| 1252 | 420 | 2252 210 Extension for reply within second month | |
| 1253 | 950 | 2253 475 Extension for reply within third month | |
| 1254 | 1,480 | 2254 740 Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 1,005 Extension for reply within fifth month | |
| 1404 | 330 | 2401 165 Notice of Appeal | |
| 1402 | 330 | 2402 165 Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 145 Request for oral hearing | |
| 1451 | 1,510 | 2451 1,510 Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 55 Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 665 Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 665 Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 240 Design issue fee | |
| 1503 | 640 | 2503 320 Plant issue fee | |
| 1460 | 130 | 2460 130 Petitions to the Commissioner | |
| 1807 | 50 | 1807 50 Prosessing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 180 Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 40 Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 1809 385 Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 385 For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 385 Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 900 Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| * Reduced by Basic Filing Fee Paid | | | |
| SUBTOTAL (3) | | (\$) | 240.00 |

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Paul A. Mendonsa | Registration No. (Attorney/Agent) | 42,879 | Telephone | (503) 439-8778 |
| Signature | | | | Date | 08/05/04 |

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (vtr) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ALI S. SADRI, ET AL.

Application No.: 10/750,561

Filed: December 31, 2003

For: **AN APPARATUS AND ASSOCIATED METHODS TO
PERFORM INTELLIGENT TRANSMIT POWER
CONTROL WITH SUBCARRIER PUNCTURING**

Art Group: Unknown

Examiner: Unknown

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts mailed May 5, 2004, please find enclosed:

- statutory basic filing fee plus any excess claim fees in the amount of \$1234.00;
- a duly executed Declaration and Power of Attorney with payment in the amount of \$130.00 for the surcharge of 37 CFR § 1.16(e);
- a Petition for Extension of Time and payment in the amount of \$110.00;
- and
- copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 5, 2004

Paul A. Mendonsa, Reg. No. 42,879

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA


 Rachael Brown

08/05/04

Date

12400 Wilshire Boulevard, 7th Floor
 Los Angeles, CA 90025
 Telephone: (503) 439-8778



IT-W
S

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/750,561 | 12/31/2003 | Ali S. Sadri | 42P17322 |

08791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

CONFIRMATION NO. 5695 FORMALITIES LETTER



OC000000012521362

Date Mailed: 05/05/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$464** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1364** for a Large Entity

08/10/2004 MBELETE1 00000008 10750561

| | | |
|------------|--------|----|
| 01 FC:1001 | 770.00 | OP |
| 02 FC:1201 | 86.00 | OP |
| 03 FC:1202 | 378.00 | OP |
| 04 FC:1051 | 130.00 | OP |

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$464**

- **\$86** for 1 independent claims over 3.
- **\$378** for 21 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

John Ware

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE